

## **Remarks**

### **Drawings**

Corrected drawings FIGS. 1, 3 & 4 are provided showing the fixing means 21 and air passage 3 more clearly. A new drawing, FIG 7, shows an elevation view of the fixing means, which is the improved portion of the invention over the prior art of Kojic. Another new drawing, FIG. 8, shows a cross-sectional view of another embodiment of the convertible furnishing with the backrest erect.

### **Claim Rejections - 35 USC # 112**

Claims 1, 5, 7, 15, 16 are requested to be re-instated from rejection on the following basis:

Claim 1 is amended to remove the term non-translocatable and to clarify the location and shape of the fixing means.

The specification and drawings have been amended to specify this new matter.

### **Regarding Claim Rejections - 35 USC # 102**

Claim 1 is requested to be re-instated from rejection on the following basis:

Claim 1 is amended to clarify that the form of the fixing means is substantially different from and an improvement over that of Kojic.

Kojic uses connectors and a hinge, which includes a horizontally disposed linear seam in the bladder, to fix the base to the backrest (refer in Kojic to figure 2A seam 18; first paragraph description of the preferred embodiment and description of figure 6A-6B; and claim 20). Kojic is forced to add connectors to stop the backrest from flipping backwards when leaned against.

Kojic's figure 6B does not show the hinge seal: this is an artifact of the cross-section taken. Kojic's description of figure 6B clearly states a hinge is present. Hinges are linear arrangements with a well defined axis of folding. Brook's flexible closed-loop strip has no such well defined axis of folding and no requirement for a bladder seam to facilitate folding, linear or otherwise. Brook's fixing means also eliminates the need for additional connectors because it does not utilise a hinge seal.

Brook improves on Kojic by eliminating Kojic's complex connecting arrangements and replacing them with a fixing means consisting of "a flexible closed-loop strip forming a single hole with the internal surface of the flexible closed-loop strip not substantially adhered to itself at any place to form a hinge, an upper edge of the flexible closed-loop strip permanently connected to a lower end of the backrest and a lower edge of the flexible closed-loop strip permanently connected to the base upper skin".

In the figures the fixing means has a substantially circular shape, but may have any shape forming a closed loop with an open hole. There may of course be more than one such flexible closed-loop strip fixing the backrest to the base.

The specification and drawings have been amended to specify this new matter.

Claim 22 has been added to further distinguish the present invention from that of Kojic that claims (in Kojic's claim 20) the use of at least one connector to additionally fix the base to the backrest.

### **Regarding Claim Rejections - 35 USC # 103**

Claims 5, 7 and 15 and 16 are requested to be re-instated from rejection on the following basis:

The applicant has argued above that with the described amendments Kojic is insufficient as prior art, and therefore it is not obvious to combine Kojic with Gancy. Nor is it obvious to combine Kojic with Peterson.

### **New Claims:**

Claims 23-27 have been added to more narrowly claim the preferred embodiment of the present invention. Brook's best understanding is that the prior art does not describe a seat as claimed in Claims 23-27. Amendments to the specification and drawings (spec. amendment 5 and drawing amendment FIG. 8) have been provided to describe the material presented in these claims.

**End of Remarks.**